

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

YETI COOLERS, LLC,

Plaintiff,

v.

WALMART INC., and REAL VALUE, LLC,  
d/b/a SIMPLE MODERN,

Defendants.

Case No. 17-cv-01145-RP

**DEFENDANT REAL VALUE, LLC D/B/A SIMPLE MODERN'S  
SECOND UNOPPOSED MOTION TO EXTEND ANSWER DEADLINE**

Defendant Real Value, LLC d/b/a Simple Modern (“Simple Modern”) files this second unopposed motion to extend its deadline to answer or otherwise respond to Plaintiff YETI Cooler, LLC’s (“YETI”) First Amended Complaint (“Complaint”) (Dkt. 67) to November 26, 2018.

The Complaint was filed on August 29, 2018. Simple Modern agreed to accept service of the Complaint, effective September 4, 2018, and Simple Modern’s deadline to answer or otherwise respond to the Complaint was September 25, 2018. On September 24, 2018, Simple Modern requested an extension to extend its deadline to answer or otherwise respond to the Complaint to October 25, 2018. Dkt. 74. This Court granted Simple Modern’s request. Dkt. 75. Simple Modern seeks an additional 30-day extension of its October 25, 2018 answer deadline because counsel for the parties are engaged in ongoing discussions regarding whether an amicable resolution can be reached.

On October 24, 2018, counsel for Simple Modern conferred with counsel for YETI and confirmed that YETI does not oppose a 30-day extension to November 26, 2018<sup>1</sup>. This motion is not brought for purposes of delay.

Simple Modern respectfully requests that the Court grant this motion and extend its deadline to answer or otherwise respond to the Complaint up to and including November 26, 2018.

Dated: October 24, 2018

Respectfully submitted,

FISH & RICHARDSON P.C.

By: /s/ William T. "Tommy" Jacks

William T. "Tommy" Jacks

Texas Bar No. 10452000

jacks@fr.com

111 Congress Avenue, Suite 810

Austin, TX 78701

(512) 472-5070 - Telephone

(512) 320-8935 - Facsimile

***Counsel for Defendant Real Value, LLC  
d/b/a Simple Modern***

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<sup>1</sup> Thirty days from the current deadline is Saturday, November 24, 2018. Pursuant to Rule 6(a)(1) of the Federal Rules of Civil Procedure, the deadline is continued to the next day that is not a weekend or holiday (i.e., November 26, 2018).

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on October 24, 2018 to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system.

/s/ William T. "Tommy" Jacks  
William T. "Tommy" Jacks